

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

JESUS BRITO,

Plaintiff,

-v-

LUCKY SEVEN RESTAURANT & BAR, LLC, D/B/A  
LUCKY 7 TAPAS BAR, LA CASA DEL MOFONGO  
INC., FELIX CABRERA, AVI DISHI, AND JOHN  
DOES #1-10,

Defendants.

19 Civ. 3876 (PAE) (KHP)

ORDER

PAUL A. ENGELMAYER, District Judge:

On March 24, 2021, by separate order, the Court adopted as modified the July 31, 2020 Report and Recommendation of the Honorable Katherine H. Parker, United States Magistrate Judge. Dkt. 61. Plaintiff's remaining claims will therefore proceed to trial.

The Court understands from the docket in this case that no party has made a jury trial demand. The Court assumes therefore that trial will be a bench trial. For avoidance of doubt, by March 29, 2021, the parties are directed to file a joint letter on the docket confirming that no party has sought a jury trial. In the event that a party has reserved its right to a jury trial, the letter should so state, indicating where on the docket such a jury demand is reflected. Counsel's letter should not volunteer the views of any particular party as between a jury and a bench trial.

The parties' Joint Pretrial Order is due April 21, 2021. By that date, the parties shall submit a Joint Pretrial Order prepared in accordance with the Court's Individual Rules and Practices governing trials, available at <https://nysd.uscourts.gov/hon-paul-engelmayer>, and Federal Rule of Civil Procedure 26(a)(3). Counsel are to be mindful that there are distinct conventions for Joint Pretrial Orders for bench as opposed to jury trials.

Any motions *in limine* must be filed by April 21, 2021. Any oppositions to motions *in limine* are due April 28, 2021. Proposed findings of fact and conclusions of law should be submitted with the Joint Pretrial Order.

The Court schedules a final pretrial telephonic conference for May 7, 2021 at 2 p.m. The parties should call into the Court's dedicated conference line at (888) 363-4749, and enter Access Code 468-4906, followed by the pound (#) key. **Counsel are directed to review the Court's Emergency Individual Rules and Practices in Light of COVID-19**, found at <https://nysd.uscourts.gov/hon-paul-engelmayer>, for the Court's procedures for telephonic conferences and for instructions for communicating with chambers.

SO ORDERED.

A handwritten signature in blue ink that reads "Paul A. Engelmayer". The signature is written in a cursive, flowing style.

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PAUL A. ENGELMAYER  
United States District Judge

Dated: March 24, 2021  
New York, New York